

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

INSTITUTE FOR AUTISM SCIENCE and INFORMED
CONSENT ACTION NETWORK,

Plaintiffs,

-against-

CENTERS FOR DISEASE CONTROL AND PREVENTION,

Defendant.

19-cv-11947-LJL

WHEREAS, the Institute for Autism Science and Informed Consent Action Network (“**ICAN**”) commenced the above-captioned lawsuit against the Centers for Disease Control and Prevention (“**CDC**”) regarding six Freedom of Information Act requests (the “**FOIA Requests**”);

WHEREAS, the FOIA Requests were as follows:

- “All studies relied upon by CDC to claim that the DTaP vaccine does not cause autism.”
- “All studies relied upon by CDC to claim that neither Engerix-B nor Recombivax HB do not cause autism.”
- “All studies relied upon by CDC to claim that Prevnar 13 does not cause autism.”
- “All studies relied upon by CDC to claim that Hib vaccines do not cause autism.”
- “All studies relied upon by CDC to claim that inactivated polio vaccine (‘IPV’) does not cause autism.”
- “Copies of the studies the CDC relies upon to claim that the cumulative exposure of vaccines it recommends that babies be administered during the first six months of life do not cause autism.”

WHEREAS, after conducting a search of its records, the CDC identified the following studies responsive to the FOIA Requests:

1. Madsen KM, Hviid A, Vestergaard M, Schendel D, Wohlfahrt J, et al. A population-based study of measles, mumps, and rubella vaccination and autism. *N Engl J Med*. 2002;347 (19):1477–1482.
2. IOM (Institute of Medicine). 2012. *Adverse Effects of Vaccines: Evidence and Causality*. Washington, DC: The National Academies Press.

3. IOM (Institute of Medicine). 2004. Immunization Safety Review: Vaccines and Autism. Washington, DC: The National Academies Press.
4. IOM (Institute of Medicine). 2013. The childhood immunization schedule and safety: Stakeholder concerns, scientific evidence, and future studies. Washington, DC: The National Academies Press.
5. Frombonne E, Zakarian R, Bennett A, et al. Pervasive developmental disorders in Montreal, Quebec, Canada: prevalence and links with immunizations. *Pediatrics*. 2006;118(1):e139-50.
6. Taylor LE, Swerdfeger AL, Eslick GD. Vaccines are not associated with autism: An evidence-based meta-analysis of case-control and cohort studies. *Vaccine*. 2014;32:3623-3629.
7. Ball L, Ball R, Pratt RD. An assessment of thimerosal in childhood vaccines. *Pediatrics*. 2001;107:1147-1154.
8. Hviid A, Stellfeld M, Wohlfahrt J, Melbye M. Association between thimerosal-containing vaccine and autism. *JAMA*. 2003;290:1763-6.
9. Madsen KM, Lauritsen MB, Pedersen CB, et al. Thimerosal and the occurrence of autism: negative ecological evidence from Danish population-based data. *Pediatrics*. 2003;112(3 Pt 1):604-6.
10. Stehr-Green P, Tull P, Stellfeld M, et al. Autism and thimerosal-containing vaccines: lack of consistent evidence for an association. *Am J Prev Med*. 2003;25(2):101-6.
11. Verstraeten T, Davis RL, DeStefano F, et al. Safety of thimerosal-containing vaccines: a two-phased study of computerized health maintenance organization databases. *Pediatrics*. 2003;112(5):1039-48.
12. Andrews N, Miller E, Grant A, et al. Thimerosal exposure in infants and developmental disorders: a retrospective cohort study in the United Kingdom does not support a causal association. *Pediatrics*. 2004;114(3):584-91.
13. Thompson WW, Price C, Goodson B, et al. Early thimerosal exposure and neuropsychological outcomes at 7 to 10 years. *N Engl J Med*. 2007;357(13):1281-92.
14. McMahon AW, Iskander JK, Haber P, Braun MM, Ball R. Inactivated influenza vaccine (IIV) in children <2 years of age: Examination of selected adverse events reported to the Vaccine Adverse Event Reporting System (VAERS) after thimerosal-free or thimerosal-containing vaccine. *Vaccine*. 2008 Jan; 26(3):427-429.
15. Schechter R, Grether JK. Continuing increases in autism reported to California's developmental services system: Mercury in retrograde. *Arch Gen Psychiatry*. 2008;65:19-24.
16. DeStefano F. Thimerosal-containing vaccines: evidence versus public apprehension. *Expert Opin Drug Saf*. 2009;8(1):1-4.
17. Tozzi AE, Bisiacchi P, Tarantino V, et al. Neuropsychological performance 10 years after immunization in infancy with thimerosal-containing vaccines. *Pediatrics*. 2009;123(2):475-482.
18. Price CS, Thompson WW, Goodson B, et al. Prenatal and infant exposure to thimerosal from vaccines and immunoglobulins and risk of autism. *Pediatrics*. 2010;126(4):656-64.
19. Barile JP, Kuperminc GP, Weintraub ES, et al. Thimerosal exposure in early life and neuropsychological outcomes 7-10 years later. *J Pediatr Psychol*. 2012;37(1):106-18.
20. DeStefano F, Price CS, Weintraub ES. Increasing exposure to antibody-stimulating proteins and polysaccharides in vaccines is not associated with risk of autism. *J Pediatr*. 2013;163(2):561-7.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties by and through their respective counsel that based on the foregoing, the above-captioned action is voluntarily dismissed, with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii),

each side to bear its own costs, attorney fees, and expenses, and this stipulation may be signed in counterparts, and that electronic (PDF) or fax signatures may be deemed originals for all purposes.

Dated: February 27, 2020
New York, New York

SIRI & GLIMSTAD LLP
Attorney for Plaintiffs

By:

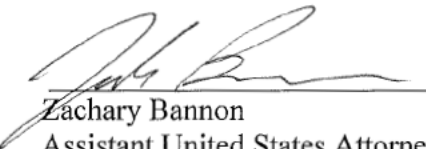


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Dated: February 27, 2020
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By:



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SO ORDERED:



HON. LEWIS J. LIMAN, U.S.D.J.

Dated: New York, New York
March 2, 2020